United Nations E/AC.51/2006/L.4/Add.18

Economic and Social Council

Distr.: Limited
28 August 2006

Original: English

Committee for Programme and Coordination
Forty-sixth session
14 August-8 September 2006
Agenda item 8
Adoption of the report of the Committee on its forty-sixth session

Draft report

Rapporteur: Mr. Valery **Zhdanovich** (Belarus)

Addendum

Proposed strategic framework for the period 2008-2009

(Item 3 (b))

Programme 6
Legal affairs

1. At its 8th meeting, on 21 August 2006, the Committee for Programme and Coordination considered programme 6, Legal affairs, of the proposed biennial programme plan (A/61/6 (Prog. 6)).

2. The representative of the Secretary-General introduced the programme and responded to queries raised during the Committee's consideration of the programme.

Discussion

3. General appreciation and support were expressed for the work carried out by the Office of Legal Affairs through its various subprogrammes. The important role played by the Office in promoting better understanding and respect for the principles of international law was recognized.

4. Satisfaction was expressed with regard to the improvements in the websites of the Sixth Committee and the International Law Commission. Concern was expressed regarding the timely issuance of documentation in all six official languages, however.

5. Clarification was sought regarding the role of academic institutions in the programme of assistance in the teaching, study, dissemination and wider

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appreciation of international law. It was suggested that training courses on international law be expanded to include lawyers and members of academic institutions from developing countries.

6. Particular appreciation was expressed for the substantive and technical support provided by the Division of Ocean Affairs and Law of the Sea. The view was expressed that increased participation of non-governmental organizations in the consultative processes on oceans and the law of the sea would decrease the effectiveness of those processes.

7. Clarification was sought on the administration of justice, especially relating to staff grievances, and information was provided on the process regarding staff members' right and access to counsel.

8. The view was expressed that wider access to the United Nations Treaty Collection should be provided, specifically for academics and researchers. Clarification was provided that recent improvements in the website of the Treaty Section included free access and enhanced capability to search text within documents.

9. The view was expressed that some of the objectives, expected accomplishments and indicators of achievement needed further refinement.

Conclusions and recommendations

10. **The Committee recommended that the General Assembly approve the programme narrative of programme 6, Legal affairs, of the proposed biennial programme plan, subject to the following modifications:**

Overall orientation

Paragraph 6.1

Revise the paragraph to read "The overall purpose of the programme is to promote a better understanding by Member States of and respect for the principles and norms of international law in order to support the accomplishment of the objectives of the United Nations."

Paragraph 6.4

Replace the first sentence with "The Office will provide services and legal advice, upon request, to the decision-making organs of the United Nations and its Member States." Replace the second sentence with "It will aim to strengthen respect within the United Nations system for the rule of law, in particular observance of the Charter and the resolutions, decisions, regulations, rules and treaties emanating from the Organization."

Subprogramme 1
Overall direction, management and coordination of legal advice and services to the United Nations as a whole

Expected accomplishments of the Secretariat

At the end of the expected accomplishment, insert the words ", and supporting international justice mechanisms as mandated."

Strategy

Paragraph 6.5

In the second sentence, after the words "legal advice", insert the words "at their request", and at the end of the paragraph insert the words "if requested".

Paragraph 6.7

Revise the paragraph to read: "A further objective of the subprogramme is to support the development of international justice and an end to impunity through help to existing international and internationally assisted tribunals. To that end, the Office will work to ensure that, as subsidiary organs of the Security Council, the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda operate, in their administrative activities, in accordance with the Charter, regulations, rules and policies of the United Nations and, as judicial organs, act within their statutes. Within the framework of the subprogramme, the Office will advise the principal and subsidiary organs of the Organization on legal aspects of the activities of the above-mentioned tribunals and on matters arising in their relations with those tribunals. It will also advise the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda regarding their relationships with States and host countries. The Office will advise the principal and subsidiary organs regarding the Negotiated Relationship Agreement between the International Criminal Court and the United Nations. The Office will assist in the establishment of other tribunals, as mandated, and help to develop transitional justice mechanisms if mandated."

Subprogramme 3
Progressive development and codification of international law

Indicators of achievement

Add a new indicator (a) (iii) reading: "Satisfaction of the International Law Commission with the services provided".

Add a new indicator (a) (iv) reading: "Satisfaction of the Member States with services provided to the Sixth Committee".

Strategy

Paragraph 6.14

In the last sentence, after the words "seminars and", insert the words "enhanced distribution and".

Subprogramme 4
Law of the sea and ocean affairs

Indicators of achievement

In indicator (b) (iii), replace the words "sustainable development of the oceans and seas" with the words "sustainable uses of the oceans and seas, the equitable and efficient utilization of their resources, the

conservation of their living resources and the study, protection and preservation of the marine environment".

In indicator (c) (ii), delete the word "increased".

Strategy

Paragraph 6.19

In the first sentence, replace the words "aspects of marine affairs" with "aspects of ocean affairs".

Subprogramme 5
Progressive harmonization, modernization and unification of the law of international trade

Expected accomplishments of the Secretariat

Add a new expected accomplishment reading: "(d) Facilitating the work of UNCITRAL".

Indicators of achievement

Add a new indicator reading: "(d) Satisfaction of UNCITRAL with the services provided".